

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

WENDY THOMAS (NYBN 4315420)
Special Assistant United States Attorney

DEREK ANGELL
Law Clerk

450 Golden Gate Avenue, 11th Floor
San Francisco, California 94102
Telephone: (415) 436-6809
Fax: (415) 436-7234
Email: wendy.thomas@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

I, Derek Angell, hereby declare as follows:

1. I am a Law Clerk in the United States Attorney's Office assigned to the prosecution of this case. I have received the following information from officers employed by the United States Park Police and assigned to Criminal Investigations Branch for the Presidio Trust and Golden Gate National Recreational Area.

2. On July 19, 2007, San Francisco Police Department (“SFPD”) Officers Nicholas Territo (“Officer Territo”) and Shiu (“Officer Shiu”) met with an individual (“the complainant”) at the SFPD Tenderloin Task Force Station. The complainant wished to report an assault committed against her earlier that morning.

1 3. Officers Territo and Shiu observed a large amount of sand stuck to the complainant's
2 face and mouth. They asked the complainant if she needed an ambulance, and she declined. She
3 allowed the officers to take pictures of her physical condition for evidence.

4 4. The complainant reported that Clifford Daniels ("Daniels"), her boyfriend of six
5 months, picked her up on his motorcycle to go to Baker Beach at approximately 5:30 a.m. that
6 day. Once there, he became "very irrational" and threw her to the ground, holding her down by
7 her hair. Daniels shoved handfuls of sand into her face and mouth, at once point yelling, "I'll cut
8 your head off and put it in a bag!" He then forcibly took her cellular phone from her to prevent
9 her from calling for help. Daniels left the area alone at the conclusion of the incident.

10 5. On July 24, 2007, SFPD Inspector Yick ("Inspector Yick") referred the case to United
11 States Park Police ("USPP") Sergeant Robert Jansing ("Sergeant Jansing") because Baker Beach
12 is under the exclusive jurisdiction of the United States.

13 6. That day, Sergeant Jansing met with the complainant at the address she gave to
14 Officers Territo and Shiu, which turned out to be the Yale Hotel in San Francisco. She repeated
15 the same facts to Sergeant Jansing which she had reported to Officers Territo and Shiu. She
16 added that she had co-habited with Daniels for several months, and that he had stolen cellular
17 phones from her in the past. She had not reported previous incidents to authorities.

18 7. The complainant reported to Sergeant Jansing that she was able to retrieve her cellular
19 phone. She said that Daniels gave her phone to an employee at the Sultan Kebab restaurant,
20 located next door to the Yale Hotel, with instructions to return the phone to her.

21 8. On August 1, 2007, Sergeant Jansing went to the Sultan Kebab restaurant to meet with
22 the employee. The employee confirmed receiving the cellular phone in this case from an
23 individual with instructions to deliver the phone to the complainant.

24 9. The employee described the individual as a stocky black male on a purple motorcycle.
25 He also reported that the individual frequented the Yale Hotel and scared away restaurant
26 customers with his aggressive behavior.

27 10. On September 12, 2007, I telephoned the complainant. When asked what type of
28 vehicle Daniels drives, she responded, "He rides a purple Harley-Davidson motorcycle."

11. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed October 31, 2007, at San Francisco, California.

DATED: 10/31/07 Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
DEREK ANGELL
Law Clerk
United States Attorney's Office